

AG Contract No. KR99-1293 TRN
ADOT ECS File No. JPA 99-92
Project: H5304 01X
Section: Arizona Council for Improving
Recreation and Tourism

INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE STATE OF ARIZONA
AND
THE UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

THIS AGREEMENT is entered into _____, 1999,
pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as
amended, between the STATE OF ARIZONA, acting by and through its
DEPARTMENT OF TRANSPORTATION (the "State") and the UNITED STATES
DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT, acting by and
through its Contracting Officer (the "BLM").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes Section 28-401 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the State.

2. The BLM is empowered by Title 16 USC 532-538 and USC 572 Ref: FMS 15184.13 to enter into this agreement and has authorized the undersigned to execute this agreement on behalf of the BLM.

3. The State desires to participate in and support the Arizona Council for Enhancing Recreation and Tourism, which focuses on the coordination and development of scenic byway roadways, to include the 1999 World Congress on Adventure Travel and Ecotourism, to be held in Tucson, Arizona, at an estimated cost to the State of \$15,000.00.

THEREFORE, in consideration of the mutual agreements expressed herein,
it is agreed as follows:

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II. SCOPE OF WORK

1. The BLM will:

Invoice the State for the States contribution to the council activities in the scenic byway development, and to include the States participation in the 1999 World Congress on Adventure Travel and Ecotourism, in a total amount not to exceed \$15,000.00.

2. The State will:

Within 30 days after receipt and approval of an invoice, pay the BLM \$15,000.00 as the States contribution to the council activities in the scenic byway development, and for its share of the costs of the 1999 World Congress on Adventure Travel and Ecorourism.

III. MISCELLANEOUS PROVISIONS

1. This agreement shall remain in force and effect until completion of the activities and payment contemplated herein.

2. This agreement shall become effective upon filing with the Arizona Secretary of State.

3. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511as regards conflicts of interest on behalf of State employess.

4. The provisions of Arizona Revised Statutes Section 35-214 relating to 5 year record retention for audit purposes are applicable to this contract.

5. Applicable laws of the State and Federal government shall govern the rights of the parties with respect to the performance of this agreement. The parties hereto shall select a process for the resolution of claims or disputed relating to this agreement, compliant with applicable laws and regulations of the State and Federal government, and acceptable to the State and Federal government. Such process will include a provision for arbitration.

6. All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Department of Transportation
Joint Project Administration
205 S. 17th Avenue - 616E
Phoenix, AZ 85007

Bureau of Land Management
Deputy Director for Resources
222 N. Central Avenue
Phoenix, AZ 85004

7. No member of, or delegate to Congress, or resident commissioner, shall be admitted to any share or part of this agreement, or to any benefits that may arise therefrom; but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.

8. Attached hereto and incorporated herein is the written determination of counsel that the parties are authorized under the laws of this state to enter into this agreement and that the agreement is in proper form.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

US DEPARTMENT OF THE INTERIOR
Bureau of Land Management

STATE OF ARIZONA
Department of Transportation

By _____
MIKE FERGUSON, Deputy State
Director for Resources

By _____
PETER L. ENO
Contract Administrator



ATTORNEY GENERAL
CIVIL DIVISION
TRANSPORTATION SECTION

MEMORANDUM

TO: Jack Hammitt
Joint Project Coordinator 616E

FROM: James R. Redpath
Assistant Attorney General

DATE: June 23, 1999

RE: IGA/The United States Department of the Interior Bureau of Land
Management
AG Contract No. KR99-1293TRN
ECS File No. JPA99-92
Study: Arizona Council for Improving Recreation and Tourism

Prior to approval of this agreement, I am unaware of any authority for the Department to pay money and participate in this World Congress. I do not see any statutory authority. Section 28-401 does not provide that kind of authority so we would be unable to approve this agreement. If you have any questions, call me.



JAMES R. REDPATH
Assistant Attorney General

JRR:ct/18561

Enc.